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General Assembly

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Sixty-ninth session
Item 113 (c) of the preliminary list*
Elections to fill vacancies in subsidiary organs and other elections: election of fifteen members of the Human Rights Council

Letter dated 6 March 2014 from the Permanent Representative of Costa Rica to the United Nations addressed to the President of the General Assembly

I have the pleasure to recall that the Government of Costa Rica has presented its candidature for re-election as a member of the Human Rights Council for the period 2015-2017, at the elections to be held during the sixty-ninth session of the United Nations General Assembly in 2014.

In accordance with General Assembly resolution 60/251, Costa Rica is pleased to transmit its voluntary pledges and commitments to the promotion and protection of human rights at the national and international levels (see annex).

I should be grateful if you could arrange for the present letter and its annex to be circulated as a document of the General Assembly.

(*Signed*) Eduardo **Ulibarri**
Ambassador
Permanent Representative

* A/69/50.

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Annex to the letter dated 6 March 2014 from the Permanent Representative of Costa Rica to the United Nations addressed to the President of the General Assembly

Candidature of Costa Rica to the Human Rights Council

Features, record and commitments

Summary

Costa Rica has decided to present its candidature for re-election to the Human Rights Council for the period 2015-2017. We are doing so because we want to continue to cooperate actively in the promotion and protection of human rights, a commitment which has deep roots in our country and is an essential component of our foreign policy.

In this document, we explain the role of human rights in Costa Rica's domestic and foreign policies. We also summarize the country's human rights record, list the human rights instruments to which the country is a party, report on the work done in the Human Rights Council during the current period, review promises made and honoured, and reiterate our standing invitation to all special procedures of the United Nations, as well as our commitment to full and effective collaboration with the human rights mechanisms.

Historical adherence to human rights principles

The promotion and defence of human rights, from an integral point of view, has been a constant element in our national life and in our international actions. Our respect for human rights is directly linked to respect for the rule of law, democracy, equality under the law, our commitment to equitable development, and peaceful coexistence. It is also linked to our support for the multilateral system, world peace and the peaceful settlement of disputes, and is expressed through our active and constructive involvement in the United Nations system bodies directly related to human rights, in particular the Human Rights Council. This type of involvement also reflects our general interaction with the multilateral system.

Primary education for both sexes as an "obligatory, tuition-free and State-financed" right was established with the enactment of the 1869 Constitution of Costa Rica. The death penalty was abolished in 1882 and the armed forces were constitutionally abolished in 1949. Our historical choice of dialogue and mutual respect as means for conflict resolution resulted in a true culture of peace, which today inspires our internal coexistence and external relations. Costa Rica is convinced that there is a strong relationship between the culture of peace, the commitment to dialogue and full respect for human rights; it is therefore a tireless advocate of those causes at the national and international levels. We are also convinced that economic and social development is essential to the enjoyment of human rights.

Thanks to the resources released as a result of the abolition of military expenditure, and despite our status as a middle-income country, Costa Rica has been able to invest significant resources in social development, in particular in the areas of education, health, the extension of other basic services, and attention to and encouragement of the economic, social and cultural rights of the entire population,

with specific emphasis on vulnerable sectors. This attention has been particularly focused on children, women, the elderly, people living in poverty, indigenous people, people of African descent and migrants. Costa Rica also has a universal social security system and, since 1970, has implemented an environmental conservation policy under which more than a quarter of the territory is protected as national parks or reserves. From a national perspective, we believe that the population is also entitled to a healthy environment.

Human rights and national institutions

Under the Political Constitution of Costa Rica, international human rights instruments become constitutional norms. Moreover, our constitutional jurisprudence recognizes these instruments as having a supra-constitutional value, insofar as they grant wider protection and guarantees to the people. Therefore, all international human rights instruments ratified by Costa Rica are equal to or take precedence over the Constitution and are a direct source of domestic law.

In 1993, Costa Rica established an Office of the Ombudsperson ("Defensoría de los Habitantes"). This national human rights institution, part of the legislative branch, was established as a monitoring body, but it has absolute political and operational independence. Its mandate is to ensure the continuous protection of the rights and interests of all inhabitants, including non-nationals.

The Office of the Ombudsperson has become a robust instrument in the institutional framework and everyday practice of human rights, easily accessible to all. It has "A" status under the Paris Principles, which means, among other things, that it fully complies with the requirements of independence and initiative. There are departments in the Office of the Ombudsperson specifically responsible for monitoring respect for the human rights of vulnerable groups. The Office also serves as the national mechanism for the prevention of torture provided for in the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as established initially in an executive decree and, since February 2014, in an act of the Republic.

There are other institutional bodies specialized in promoting the development of specific groups and ensuring their rights. They include the National Children's Board ("Patronato Nacional de la Infancia"), the National Institute for Women ("Instituto Nacional de las Mujeres"), the National Council for Rehabilitation and Special Education ("Consejo Nacional de Rehabilitación y Educación Especial") and the National Council of Older Persons ("Consejo Nacional de la Persona Adulta Mayor"). The National Directorate of Migration ("Dirección General de Migración") has consultation mechanisms and constant interaction with migrants through their organized groups and through suggestions or complaints received from individuals.

All those living in the country have the same rights as nationals.

In addition, the three branches of government in Costa Rica (legislative, executive and judicial) are fully independent. The existence of a fourth, also fully independent, branch — the electoral branch, tasked with voter registration — is an institutional innovation in our country. Its members are appointed by the Supreme Court of Justice.

There is no political or partisan interference with the judiciary in Costa Rica, which is the ultimate authority for the application of justice and conflict resolution. Since 1989, it has included a constitutional jurisdiction which, through a special court, offers effective and easily accessible remedies to guarantee the civil, political, economic, social and cultural rights of the population, through either amparo proceedings or constitutional challenges. Bringing such actions is not a formal proceeding and may be done directly by anyone, ensuring ease of access for the whole population.

The existence of vigorously exercised freedom of expression, autonomous universities financed by the State and existing side by side with private universities, and a wide range of community, labour, union, business, professional and, in general, civil society organizations are factors that also contribute to the full enjoyment of all human rights. In addition, there is a climate totally open to the exercise of freedom of expression.

This entire institutional and social framework, which facilitates the exercise of human rights in Costa Rica and has made them a reality and not simply a concept, was reinforced in particular by the establishment on 30 September 2011 of the Inter-Agency Commission for Monitoring and Implementation of International Human Rights Obligations. The Inter-Agency Commission was established by executive decree on 14 December 2011, and its goal is to coordinate the implementation, at the domestic level, of international human rights obligations, and any actions at the international level in the field of human rights, to strengthen their promotion and protection.

The Commission also has an advisory committee and a standing body to consult with civil society, which serves to maintain a broader and more open dialogue with representatives of the grass roots, thereby facilitating an effective feedback process at all levels, from the domestic to the external sphere and vice versa.

One of the Inter-Agency Commission's first achievements was the drafting of a national policy for a society free of racism, racial discrimination and xenophobia. The policy, which was one of the recommendations accepted by Costa Rica within the framework of the universal periodic review, was unveiled in December 2013 and sets 2025 as the deadline for full compliance. The groups to which it gives priority are people of African descent, indigenous peoples, migrants and refugees.

Thanks to the foregoing elements and to the human rights institutions based in the country (see below), Costa Rica has been able to develop significant diplomatic, legal, academic, social, technical and operational capacity in human rights issues, with a proactive and constructive approach and a comprehensive vision of their promotion and observance. This allows the country, whether officially or through independent experts, to collaborate constructively in the development and application of human rights at the regional and global levels. One of the areas of South-South cooperation in which Costa Rica has been involved for decades is human rights training, with approaches tailored to the needs of developing countries.

Costa Rica and human rights in the international context

Costa Rica is a State party to the principal international and inter-American human rights instruments.

The country was the first to sign and ratify the 1966 International Covenant on Civil and Political Rights and the 1966 International Covenant on Economic, Social and Cultural Rights. It is also a State party to the two Protocols to the International Covenant on Civil and Political Rights, adopted in 1966 and 1989, and a signatory to the 2008 Protocol to the International Covenant on Economic, Social and Cultural Rights, which is currently being ratified by the Legislative Assembly.

Within the inter-American system, Costa Rica hosted the conference at which the American Convention on Human Rights (1969) was adopted. It was the first country to ratify it and to accept the jurisdiction of the Inter-American Court of Human Rights. The Court's decisions are binding in Costa Rican law.

The headquarters of the Inter-American Court of Human Rights, the Inter-American Institute of Human Rights and the United Nations-mandated University for Peace are located in Costa Rica.

On 28 April 2011, meeting the pledges it made in May 2009 when it submitted its first candidature for election to the Human Rights Council, Costa Rica signed the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. On 16 February 2012, Costa Rica met another of its pledges when it deposited its instrument of ratification of the International Convention for the Protection of All Persons from Enforced Disappearance, thereby becoming the first country in the Americas to ratify all international instruments in the field of international humanitarian law and all other instruments pertaining thereto. On 14 January 2014, Costa Rica became the tenth country in the world to deposit an instrument of ratification of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, thereby bringing it into effect.

The many international human rights instruments to which Costa Rica is a party include the following:

- International Convention on the Elimination of All Forms of Racial Discrimination, adopted in 1965
- Convention on the Elimination of All Forms of Discrimination against Women, adopted in 1979, and its Optional Protocol, adopted in 1999
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted in 1984, and its Optional Protocol, adopted in 2002
- Convention on the Rights of the Child, adopted in 1989; its Optional Protocols on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography, adopted in 2000; and its Optional Protocol on a communications procedure, adopted in 2011
- Convention on the Rights of Persons with Disabilities and its Optional Protocol, adopted in 2006
- International Convention for the Protection of All Persons from Enforced Disappearance, adopted in 2006

- International Labour Organization Conventions No. 138 on the minimum age for admission to employment and work; No. 169 on indigenous and tribal peoples; and No. 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labour

As a founding member of the United Nations, Costa Rica became a member of the now-defunct Commission on Human Rights in 1946, and our Ambassador to the United Nations was Vice-Chair of the then newly created institution. Costa Rica was also a member of the Commission on Human Rights during the periods from 1964 to 1967, 1975 to 1977, 1980 to 1988, 1992 to 1994, and 2001 to 2006. During its membership, the country provided leadership on important and constructive initiatives, especially in the area of human rights education. Costa Rica also provided leadership on initiatives such as the creation of the Office of the United Nations High Commissioner for Human Rights. The country was one of the main advocates for its establishment, from the 1965 session of the General Assembly until its creation in 1993. It also advocated the adoption of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Between 2000 and 2002, Costa Rica served as Chair of the Commission on Human Rights working group that drafted the Optional Protocol, which was adopted in December 2002.

Costa Rica is a regular and active participant in all matters relating to human rights and international humanitarian law in the Third Committee and in the plenary meetings of the United Nations General Assembly in New York, including the recent treaty body strengthening process. It has also championed the promotion of human rights as a cross-cutting issue in the work and decisions of the United Nations in other fields. During its most recent period as a non-permanent member of the Security Council (2008-2009), Costa Rica encouraged, among other human rights issues, the protection of civilians in armed conflict, respect for due process in the listing and delisting of individuals and entities associated with terrorism, the fight against impunity and the pursuit of international justice.

Between 2010 and 2011, Costa Rica was an active and constructive participant in the review of the Human Rights Council, both in Geneva and in New York, in which it strove to strengthen that body, ensure its efficient functioning, objectivity and non-selectivity, and ensure that the plight of victims remains the main purpose of its work. Throughout the process, Costa Rica also supported the active participation of civil society in the work of the Human Rights Council.

Even prior to its membership in the Council, Costa Rica participated actively, within cross-regional groups of countries, in discussions on such topics as human rights education and training and the connection between human rights, climate change and the environment. Costa Rica has stepped up its activity since joining the Council in June 2011. Our efforts have led to the adoption in 2011 of the United Nations Declaration on Human Rights Education and Training, as well as the adoption of a number of resolutions on the World Programme in that field, which were driven by a diverse group of countries. In 2012, Costa Rica also managed to achieve consensus on the creation of the mandate of the Independent Expert on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment.

In 2013, as a member of the Council, Costa Rica, together with like-minded countries, successfully advocated the adoption by consensus of important

resolutions, including one on the promotion and protection of human rights in the context of peaceful protests, and another on conscientious objection to military service. Also, together with other Latin American and Caribbean countries, Costa Rica worked on a robust, yet inclusive, text on the impact of arms transfers on human rights in armed conflicts.

As a country without an army, which has entrusted its very existence to the smooth functioning of the multilateral system, Costa Rica has also given priority as a Council member to the promotion of the human right to peace. As Chair of the working group on this matter, we have made progress through a strategy that seeks, through transparent, constructive and consensus-oriented dialogue, to build confidence in the process.

In the Human Rights Council, in addition to championing initiatives such as the promotion of human rights education, the link between human rights and the environment or the right to peace, among others, we have also endeavoured to strengthen the complaint mechanism, as part of the Working Group on Situations. We have thus helped to encourage greater involvement of Council members in this mechanism. We have also supported the human rights approach to specific populations, such as women, children and adolescents, persons with disabilities and indigenous peoples, as well as, more recently, the elderly, and disadvantaged and vulnerable populations in general.

For the past several years Costa Rica has extended a standing invitation to all United Nations special procedures mandate holders, and is committed to collaborating effectively with the human rights mechanisms. In fact, we received a visit from Catarina de Albuquerque, the then Independent Expert on the issue of human rights obligations related to access to safe drinking water and sanitation, in 2009. In 2011 and 2012, James Anaya, United Nations Special Rapporteur on the rights of indigenous peoples, visited on two occasions. His recommendations facilitated a very positive process of dialogue. In 2013 we received a visit from John Knox, Independent Expert on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment. We are open to the review of our policies and consider it important to learn from the recommendations and experiences afforded by all human rights mechanisms.

Costa Rica's perspective on the Human Rights Council

Costa Rica attributes great importance to the Human Rights Council and to the United Nations human rights system in general. It considers that these institutions are essential for the development of a systemic approach to human rights and the promotion of better coordination between the various related entities of the United Nations.

As part of this systemic approach, Costa Rica seeks the promotion and protection of all human rights — civil, cultural, economic, political and social — everywhere and in all circumstances. Costa Rica believes in and systematically applies the principles of universality, impartiality, objectivity, non-selectivity, non-politicization, constructive international dialogue and cooperation.

Costa Rica fosters dialogue and cross-regional partnerships aimed at promoting human rights, believes in the importance of linking the various actors in the field of human rights and international humanitarian law, and considers it very

important for the Council to promote human rights capacity-building at the national level and to help to develop early warning mechanisms, promote dialogue between different parties and assist countries with their efforts to improve their performance in this area.

In short, Costa Rica is guided by principles, but anchored in reality; it advocates proactive attitudes towards human rights and the effective implementation of the decisions and resolutions of the Council, with a system-wide and process-oriented approach, and is confident that, through constructive engagement with the parties, human rights can be effectively and sustainably promoted.

Report on the commitments made by Costa Rica

In presenting its candidature for election to the Human Rights Council for the period 2011-2014, Costa Rica pledged to take a series of actions. These commitments are set forth below, together with the steps Costa Rica has taken to fulfil them:

Commitments at the national level

- To continue the practice of adopting new international human rights instruments.
  - On 28 April 2011, Costa Rica signed the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, which is currently in the process of being ratified by the Legislative Assembly, where it received the approval of the International Affairs Committee, meaning that ratification is guaranteed.
  - On 16 February 2012, the instrument of ratification of the International Convention for the Protection of All Persons from Enforced Disappearance was deposited.
  - On 28 February 2012, Costa Rica was one of the first 20 countries to sign the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, and on 14 January 2014 it deposited the tenth instrument of ratification. As a result, it triggered the entry into force of the Protocol three months after the tenth ratification, in accordance with the provisions of the instrument.
- To promote even more vigorous public policies on gender equity and greater participation by vulnerable groups, such as persons with disabilities, the elderly, people of African descent and indigenous people, at all levels of society.
  - Since 2010 work has been ongoing on the establishment and expansion of a national childcare and child development network intended to strengthen childcare as a social responsibility and create the conditions under which women can join the workforce, thereby guaranteeing their right to work, while providing childcare and comprehensive services to children and older persons. On 4 March 2013, a bill to extend this programme was adopted by the Legislative Assembly.
  - A comprehensive and sustainable policy on citizen security and the promotion of social peace was submitted in February 2011 and has since been implemented. It is intended to preserve and promote personal

security and peaceful coexistence. This policy conceptualizes security as a matter of coexistence and human development through a strategic and comprehensive approach aimed at dealing with breakdowns in security, but above all the underlying causes, which include lack of opportunities, especially for children and adolescents. It has significantly reduced the occurrence of violence and crime in the country, within the framework of the rule of law and human rights.

- A curriculum of comprehensive sex and relationship education, of which the main subjects are interpersonal relations, culture, power and responsibility, pleasure as a source of well-being, gender, psychosexual identity, reproductive health and human rights, was adopted in June 2012 and began to be implemented in 2013.

- A round table for dialogue between representatives of indigenous peoples, especially those in southern Costa Rica, and representatives of the Government, led by the Office of the President of the Republic and coordinated by the Ministry for Social Welfare, was set up in January 2013. The round table meets monthly and seeks the effective implementation of obligations stemming from the rights of indigenous peoples. It is supported by the United Nations Development Programme (UNDP) country office.

- The National Policy against Racial Discrimination was presented in December 2013 following nearly two years of a participatory process involving representatives of various institutions and groups of people of African descent, indigenous peoples, migrants and refugees.

• To establish an inter-institutional committee on human rights that actively works on the drafting of national reports to the treaty bodies and the universal periodic review mechanism. The committee will be responsible for disseminating and monitoring the implementation of the recommendations of these bodies and of other human rights mechanisms.

- The Inter-Agency Commission for Monitoring and Implementation of International Human Rights Obligations was established by an executive decree published on 30 September 2012; however, the Commission has been active since the end of 2011.

• To follow through on the accepted recommendations stemming from Costa Rica's participation in the universal periodic review mechanism, disseminate them widely and ensure their implementation.

- During 2010, there was intensive dissemination of the recommendations stemming from the universal periodic review to all institutions in the three branches of government, as well as the Supreme Electoral Court. The Inter-Agency Commission has engaged more intensively and in more detail in the dissemination of the recommendations and the follow-up thereto.

Commitments with regard to the functioning of the Human Rights Council and the United Nations human rights system

• To continue promoting constructive initiatives on such important topics as the promotion of the World Programme for Human Rights Education; education in general; conservation of the environment; and the access of all people,

including the most vulnerable groups in society, to the effective exercise of their human rights.

- Costa Rica has participated in the Platform for Human Rights Education and Training, which promoted the adoption of the United Nations Declaration on Human Rights Education and Training. Since the adoption of the Declaration in 2011, Costa Rica has promoted its dissemination and implementation. As part of these efforts, it organized a special event in New York on 10 May 2012, together with the Permanent Missions of Morocco and Switzerland.

- With countries of various regions, Costa Rica played a leading role in the adoption of the plan of action for the second phase of the World Programme for Human Rights Education at the fifteenth session of the Human Rights Council, the follow-up to the plan of action at the twenty-first session, and the adoption of the focus of the third phase at the twenty-fourth session.

- At the nineteenth session of the Human Rights Council, Costa Rica promoted the creation of a mandate for an independent expert on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment.

- Costa Rica has been the driving force behind initiatives such as the codification of the right to peace and was a main sponsor of the resolutions on the promotion and protection of human rights in the context of peaceful protests and conscientious objection to military service.

• To encourage dialogue as the best mechanism for conflict resolution and the discussion of all relevant themes. In this regard, Costa Rica considers no-action motions on draft resolutions to be inadvisable.

- During the sessions of the Human Rights Council and the discussions of the General Assembly on human rights, Costa Rica has promoted the constructive exchange of views on all matters raised by States. It has not supported no-action motions.

• To support and participate constructively in the various bodies (organs, mechanisms and working groups) of the Human Rights Council, while promoting the independence of the special procedures system.

- During the Human Rights Council review process, Costa Rica was among the main defenders of the independence of the special procedures and even advocated the strengthening of the system.

• To insist on obtaining an effective and immediate response from the human rights protection system to emergency situations, for example, through special sessions of the Human Rights Council.

- As a member of the Human Rights Council, Costa Rica has steadfastly supported the role and actions of the Council in addressing critical situations in which human rights are under threat and systematic and serious violations may be taking place.

New commitments by Costa Rica

In presenting our candidature for the period 2014-2017, we undertake the following commitments:

At the national level:

- To continue the practice of adopting and implementing new international human rights instruments.
- To continue promoting vigorous public policies regarding gender equality and greater participation of vulnerable groups, such as persons with disabilities, the elderly, children, people of African descent and indigenous people, at all levels of society.
- To strengthen the Inter-Agency Commission for Monitoring and Implementation of International Human Rights Obligations and give it the means to ensure its sustainability.
- To act upon and implement the recommendations accepted within the universal periodic review framework, and to strengthen the monitoring and implementation of international human rights obligations, in particular treaty body recommendations.

With regard to the functioning of the Human Rights Council and the United Nations human rights system:

- To continue participating actively in mechanisms for the improvement and strengthening of the United Nations human rights system, including the Human Rights Council and the treaty bodies, with a proactive, inclusive and constructive approach.
- To continue promoting constructive initiatives on such important topics as the promotion of human rights education and training; education in general; conservation of the environment; and peace, tolerance and conflict prevention, which foster human rights and the access of all people, including the most vulnerable groups in society, to the effective exercise of those rights.
- To continue encouraging dialogue as the best mechanism for conflict resolution and the constructive discussion of all relevant themes.
- To maintain and strengthen our support and constructive participation in the various bodies (organs, mechanisms and working groups) of the Human Rights Council, while promoting the independence of the special procedures system.
- To insist on obtaining an effective and immediate response from the human rights protection system to emergency situations, for example through special sessions of the Human Rights Council, just as Costa Rica has been doing as a member of the Council.
- To cooperate actively in human rights capacity-building at the national level.
- To maintain our commitment to the principles of universality, impartiality, objectivity, non-selectivity, non-politicization, constructive international dialogue and cooperation.

Conclusion

Because of our proven track record of respect for human rights, our constructive commitment to the development of those rights, our capacity for dialogue, the existence of national capacities in our country, the work we have done so far in the Human Rights Council and other bodies of the United Nations human rights system, and our readiness to take into account the concerns of a variety of actors, we believe that Costa Rica has much more to contribute in this field.

The country is therefore presenting its candidature for re-election to the Council in 2014 for the period 2015-2017.

United Nations A/69/69

General Assembly

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17 March 2014

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Sixty-ninth session
Item 55 of the preliminary list*
Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations

Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations

Report of the Secretary-General

Summary

The present report, mandated by the General Assembly in its resolution 68/87, pertains to the transmittal of information from the administering Powers called for under Article 73 *e* of the Charter of the United Nations.

* A/69/50.

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1. Under the terms of Article 73 *e* of the Charter of the United Nations, States Members of the United Nations that have or assume responsibilities for the administration of Territories whose peoples have not yet attained a full measure of self-government undertake to transmit regularly to the Secretary-General information relating to the economic, social and educational conditions in the Territories for which they are respectively responsible, other than those Territories to which Chapters XII and XIII apply. In addition, the General Assembly, in several resolutions, the most recent of which was resolution 68/87, has requested the administering Powers concerned to transmit or continue to transmit to the Secretary-General the information prescribed in Article 73 *e* of the Charter, as well as the fullest possible information on political and constitutional developments in the Territories concerned.

2. The table annexed to the present report provides the dates on which information called for under Article 73 *e* of the Charter was transmitted to the Secretary-General for 2013.

3. The information transmitted under Article 73 *e* of the Charter generally follows the standard form approved by the General Assembly and includes information on geography, history and population and economic, social and educational conditions. The annual reports of the Territories also include information on constitutional matters, as appropriate. Additional information on political and constitutional developments in Tokelau is provided by the representative of New Zealand during meetings of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

4. In compliance with the provisions of paragraph 5 of General Assembly resolution 1970 (XVIII) of 16 December 1963 and other relevant resolutions of the Assembly, including in particular resolution 66/82, the Secretariat has continued to use the information transmitted in the preparation for the Special Committee of working papers on each Territory. The Special Committee has taken this information into account in formulating its decisions on these Territories, which are set forth in the relevant chapters of the Committee's report to the Assembly (A/68/23). The report also contains an account of the action taken by the Special Committee in implementation of resolution 1970 (XVIII) (see A/68/23, chap. VIII).

5. Recommendation: The information received from the administering Powers on the Non-Self-Governing Territories will be used in the preparation of the working papers of the Secretariat and discussed by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples at its annual session.

Annex

Dates of transmission of information under Article 73 *e* of the Charter of the United Nations and period covered[a]

	Information received in 2013		*Information received in 2014*	
	Date of transmission	*Period covered*	*Date of transmission*	*Period covered*
France				
New Caledonia[b]	11 January 2013	2012	4 February 2014	2013
French Polynesia[c]			–	2013
New Zealand				
Tokelau	10 January 2013	2012	28 January 2014	2013
Spain				
Western Sahara[d]	–		–	
United Kingdom of Great Britain and Northern Ireland				
All British Non-Self-Governing Territories				
Anguilla	21 December 2012	2012	19 December 2013	2013
Bermuda	21 December 2012	2012	19 December 2013	2013
British Virgin Islands	21 December 2012	2012	19 December 2013	2013
Cayman Islands	21 December 2012	2012	19 December 2013	2013
Falkland Islands (Malvinas)[e]	21 December 2012	2012	19 December 2013	2013
Gibraltar	21 December 2012	2012	10 January 2014	2013
Montserrat	21 December 2012	2012	10 January 2014	2013
Pitcairn	21 December 2012	2012	19 December 2013	2013
Saint Helena	21 December 2012	2012	19 December 2013	2013
Turks and Caicos Islands	21 December 2012	2012	31 December 2013	2013
United States of America				
American Samoa	–	2012	8 January 2014	2013
Guam	–	2012	8 January 2014	2013
United States Virgin Islands	–	2012	8 January 2014	2013

(Footnotes on following page)

(Footnotes to table)

[a] For a preliminary list of Territories to which the Declaration on the Granting of Independence to Colonial Countries and Peoples (General Assembly resolution 1514 (XV)) applies, see A/5446/Rev.1, annex I.

[b] According to its resolution 41/41 A, the General Assembly considers that, in the light of the provisions of Chapter XI of the Charter of the United Nations and General Assembly resolutions 1514 (XV) and 1541 (XV), New Caledonia is a Non-Self-Governing Territory within the meaning of the Charter.

[c] According to its resolution 67/265, the General Assembly recognizes that, in the light of the provisions of Chapter XI of the Charter of the United Nations and General Assembly resolutions 1514 (XV), French Polynesia remains a Non-Self-Governing Territory within the meaning of the Charter.

[d] On 26 February 1976, the Permanent Representative of Spain to the United Nations informed the Secretary-General that "the Spanish Government, as of today, definitely terminates its presence in the Territory of the Sahara and deems it necessary to place the following on record: ... (a) Spain considers itself henceforth exempt from any responsibility of an international nature in connection with the administration of the said Territory, in view of the cessation of its participation in the temporary administration established for the Territory ..." (A/31/56-S/11997). For the printed text, see *Official Records of the Security Council, Thirty-first Year, Supplement for January, February and March 1976*.

[e] A dispute exists between the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland concerning sovereignty over the Falkland Islands (Malvinas) (see ST/CS/SER.A/42).

United Nations A/69/70

General Assembly

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21 March 2014

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Sixty-ninth session
Item 137 of the preliminary list*
Scale of assessments for the apportionment of the expenses of the United Nations

Multi-year payment plans

Report of the Secretary-General

Summary

In its resolution 57/4 B, the General Assembly endorsed the conclusions and recommendations of the Committee on Contributions concerning multi-year payment plans, and in its resolutions 58/1 B, 59/1 B, 60/237, 61/237, 64/248 and 67/238 it reaffirmed that endorsement. In that connection, the Committee recommended that the Secretary-General be requested to provide information on the submission of such plans to the Assembly, through the Committee on Contributions. It also recommended that the Secretary-General be requested to submit an annual report to the Assembly, through the Committee on Contributions, on the status of the payment plans of Member States as at 31 December each year. The present report is submitted in compliance with those requests and provides information on the payment plan submitted earlier by Sao Tome and Principe and on the status of implementation of that plan as at 31 December 2013.

The General Assembly may wish to take note of the present report and encourage Member States with significant arrears in contributions to consider submitting a multi-year payment plan.

* A/69/50.

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I. Introduction

1. In its resolution 56/243 A, the General Assembly recognized that multi-year payment plans, subject to careful formulation, could be helpful in allowing Member States to demonstrate their commitment under Article 19 of the Charter of the United Nations to pay their arrears, thereby facilitating the consideration of applications for exemption by the Committee on Contributions, and requested the Secretary-General to propose guidelines for such multi-year payment plans through the Committee on Contributions.

2. After considering the report of the Secretary-General on multi-year payment plans (A/57/65), at its sixty-second session, in 2002 (see A/57/11, chap. IV.A, paras. 17-23), the Committee on Contributions agreed that Member States should be encouraged to submit such plans, which constitute a useful tool for reducing their unpaid assessed contributions and a way for them to demonstrate their commitment to meeting their financial obligations to the United Nations. The Committee recognized in that regard that due consideration should be given to the economic position of Member States, as not all of them might be in a position to submit such plans, and recommended that multi-year payment plans should remain voluntary and should not be automatically linked to other measures.

3. The Committee recommended that Member States considering a multi-year payment plan should submit such plans to the Secretary-General for the information of other Member States and should be encouraged to consult the Secretariat for advice in their preparation. In that context, it was suggested that the plans of Member States should:

(a) Provide for annual payment of current-year assessments and a part of their arrears;

(b) Where possible, generally provide for the elimination of arrears within a period of up to six years.

4. The Committee also recommended that the Secretary-General should be requested to provide information on the submission of payment plans to the General Assembly, through the Committee, and that the Secretary-General also be requested to submit an annual report to the Assembly, through the Committee, on the status of such plans as at 31 December each year.

5. The Committee further recommended that, for those Member States that were in a position to submit a payment plan, the Committee and the General Assembly should take the submission of a plan and its status of implementation into account as one factor when they considered requests for exemption under Article 19 of the Charter.

6. In paragraph 1 of its resolution 57/4 B, the General Assembly endorsed the above conclusions and recommendations contained in the report of the Committee. In its resolutions 58/1 B, 59/1 B, 60/237, 61/237, 64/248 and 67/238, the Assembly reaffirmed paragraph 1 of resolution 57/4 B. Accordingly, the Secretary-General has submitted annual reports on multi-year payment plans[1] to the Assembly since its fifty-eighth session, when the first one was considered.

[1] A/58/63, A/59/67, A/60/66, A/61/68, A/62/70, A/63/68, A/64/68, A/65/65, A/66/69, A/67/75 and A/68/68.

II. Submission of multi-year payment plans

7. Payment plans or schedules were submitted by seven Member States, the following six of which have fully implemented their plans: Georgia in 2003 (its fourth), Iraq in 2005 (its first), Liberia in 2006 (its second), the Niger in 2004 (its first), the Republic of Moldova in 2001 (its third) and Tajikistan in 2000 (its first). The remaining payment plan was submitted by Sao Tome and Principe (its first) in 2002.

8. Liberia fully paid its arrears during the first half of 2012, thereby resulting in the full implementation of its plan. Tajikistan fully paid its arrears during the first half of 2009, thereby resulting in the full implementation of its plan in advance of the deadline dates set out in the seventh annual report. Georgia and the Niger fully paid their arrears during the first half of 2007, thereby resulting in full implementation of their plans in advance of the deadline dates specified in the fifth annual report. The schedule last proposed by the Government of the Republic of Moldova, as outlined in the fourth annual report, was fully implemented in 2005. A lump-sum payment by Iraq in 2005 also resulted in the full implementation of its plan in advance of the deadline dates specified in the fourth annual report.

9. In its resolution 64/248, the General Assembly took note with appreciation of the considerable efforts undertaken by those Member States that had fully implemented their multi-year payment plans. In that resolution, and in its resolution 67/238, the Assembly encouraged Member States in arrears with their assessed contributions to the United Nations to consider submitting multi-year payment plans.

10. In an announcement concerning the seventy-fourth session of the Committee on Contributions, to be included in the *Journal of the United Nations* from 16 January to 16 May 2014, the Secretariat has invited Member States intending to submit a multi-year payment plan to contact the Secretary of the Committee for further information. In addition, in the note issued pursuant to paragraph 3 of General Assembly resolution 60/237 concerning the application of Article 19 of the Charter, attention was drawn to the provisions of resolution 57/4 B. Should any other payment plans be submitted, related information will be provided in an addendum to the present report or in the report of the Committee to be submitted to the Assembly at its sixty-ninth session.

11. For the purposes of the present report, payments are taken to include cash payments by the Member States concerned, together with the application of any credits to their accounts arising during the period concerned.

Sao Tome and Principe

12. Under cover of his letter of 17 May 2002 addressed to the President of the General Assembly, the Chargé d'affaires a.i. of the Permanent Mission of Sao Tome and Principe to the United Nations submitted the calendar of future payments as follows:

(United States dollars)

	Payment
2002	27 237
2003	42 237
2004	59 237
2005	74 237
2006	89 237
2007	114 237
2008	134 237
2009	153 752

13. The plan submitted by Sao Tome and Principe had a duration of eight years, covering the period from 2002 to 2009 and, if fully implemented, would involve payments totalling $694,411.

III. Status of payment plans of Member States as at 31 December 2013

14. The status of implementation of the payment plan submitted by Sao Tome and Principe as at 31 December 2013 is summarized in the table below. The plans proposed by Georgia, Iraq, Liberia, the Niger, the Republic of Moldova and Tajikistan have been excluded since those Member States have made the payments envisaged in their payment plans and no longer fall under the provisions of Article 19 of the Charter.

Status of payment plans as at 31 December 2013

(United States dollars)

	Payment plan	*Assessments as at 31 December*	*Payments/credits*	*Outstanding as at 31 December*
Sao Tome and Principe				
2001				598 375
2002	27 237	15 723	29 146	584 952
2003	42 237	17 124	929	601 147
2004	59 237	20 932	1 559	620 520
2005	74 237	24 264	202	644 582
2006	89 237	23 024	453	667 153
2007	114 237	32 524	810	698 867
2008	134 237	30 943	473	729 337
2009	153 752	35 400	682	764 055
2010		35 548	356	799 247
2011		37 034	506	835 775
2012		29 713	2 193	863 295
2013		37 248	481	900 062

15. Payments by the Government of Sao Tome and Principe have fallen below the level foreseen for the period from 2002 to 2009 in its schedule of payments. Payments and credits totalling $34,254 were applied during that period, compared with the anticipated payments totalling $694,411 for those years set out in its schedule. Credits amounting to $3,536 were applied during the period from 2010 to 2013. The outstanding assessed contributions of Sao Tome and Principe at 31 December 2013 amounted to $900,062. At its seventy-third session, the Committee on Contributions recognized the commitment that Sao Tome and Principe had made in submitting a multi-year payment plan, but also reiterated that the plan should be reviewed and its terms revised as soon as possible.

IV. Conclusions and recommendations

16. **The General Assembly may wish to take note of the present report and encourage Member States with significant arrears in contributions to consider submitting a multi-year payment plan.**